

## **AMHERST HEALTH DEPARTMENT**

**70 BOLTWOOD WALK • AMHERST • MA • 01002**

**Office (413) 256-4077    Fax (413) 256-4053**

**Environmental Health (413) 256-4033**

**[www.amherstma.gov](http://www.amherstma.gov)**

### **MOBILE FOOD SERVICE PERMIT**

**ANNUAL FEE - \$115.00**

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### **REQUIREMENTS**

1. Must provide copy of Hawker and Peddler's License.  
An application for a State Hawker & Peddler's License (\$62.00) is available through the Massachusetts Division of Standards (PH: 617-727-3480), on line at [www.mass.gov/standards/license.htm](http://www.mass.gov/standards/license.htm) or in the Town Manager/Select Board Office in Town Hall, 4 Boltwood Avenue, Amherst, MA 01002 (PH: 413-256-4001).
2. New applicants are to fill out a "Food Establishment" application for permit and must fill out the three (3) page Mobile Food Questionnaire.
3. Bring or send this information and a check for \$115.00 made out to the **Town of Amherst** to the Amherst Health Department Environmental Health Services, 70 Boltwood Walk, Amherst, MA 01002.
4. License expires one year from date the permit is issued.
5. A Lunch Cart License (\$100.00) from the Amherst Select Board may be required. Applications are available in the Select Board Office in Town Hall, 4 Boltwood Avenue, Amherst, MA 01002 (PH: 413-256-4001) or on line at [www.town.amherst.us](http://www.town.amherst.us).

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**FOOD ESTABLISHMENT APPLICATION**

Name of Establishment \_\_\_\_\_ Date \_\_\_\_\_

Business Address \_\_\_\_\_ Business Phone \_\_\_\_\_

Mailing Address (if different) \_\_\_\_\_

Owner \_\_\_\_\_ Owner's Phone \_\_\_\_\_

Address of Owner \_\_\_\_\_

Name & Title of Applicant (if different from Owner) \_\_\_\_\_

If Corporation or partnership, give name, title & home address of officers or partners.

<u>Name</u>	<u>Title</u>	<u>Home Address</u>	<u>Home Phone</u>
_____	_____	_____	_____
_____	_____	_____	_____

State of Incorporation _____	Name & Address of Local Agent _____
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Emergency Response Person: Name \_\_\_\_\_ Home phone \_\_\_\_\_

<u>Type of Establishment</u>	<u>Fee</u>	<u>Duration of Permit</u>	<u>Amount to be Paid</u>
Bakery	125.00	<input type="checkbox"/> Annual	_____
Catering	125.00		_____
Food Establishment	275.00	<input type="checkbox"/> Temporary	_____
Food Service Plan Review	175.00		_____
Frozen Dessert	75.00		_____
Mobil Food*	115.00		_____
Residential Kitchen	50.00		_____
Retail	175.00		_____
Special Events/Temporary	45.00/35.00 non-profit		_____
Supermarket	800.00		_____

Total \_\_\_\_\_

**Please Note The Following Late Fees Will Be Enforced**

**First 30 Days Overdue \$50.00..... 60 Days & Each Month Thereafter \$100.00**  
**No Charge for Initial Inspection & First Re-inspection. \$75.00 Each Inspection Thereafter.**

Over for Additional Information and Signatures

**ADDITIONAL INFORMATION**

**Water Source** ☐ Town ☐ Well **Sewage Disposal** ☐ Town ☐ Private **Grease Trap** ☐ Yes ☐ No

**Days & Hours of Operation** \_\_\_\_\_ **Number of Seats** \_\_\_\_\_

**Food Being Served:** \_\_\_\_\_

**Persons Trained in Anti-Choking Procedures (if 25 seats or more)** ☐ Yes ☐ No **How Many?** \_\_\_\_\_

**\*\*\*\*\*Must Submit Copies of Anti-Choking Certifications for Each Individual\*\*\*\*\***

**\*MOBILE FOOD UNITS OR PUSHCARTS**

☐ **COPY OF PEDDLAR'S LICENSE** ☐ **LIST OF HAND WASHING AND TOILET FACILITIES**

**Submitted Applications to:** ☐ Board of Selectman ☐ Fire ☐ Police

**TEMPORARY PERMIT**

**Start Date:** \_\_\_\_\_ **End Date:** \_\_\_\_\_

\_\_\_\_\_  
√Signature of Applicant

\_\_\_\_\_  
Social Security Number or Federal Identification Number

Pursuant to M.G.L. CH. 62C Sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all State Tax Returns and paid all State Taxes required under law.

\_\_\_\_\_  
√Signature of Individual or Corporate Name

By

\_\_\_\_\_  
Corporate Officer (if applicable)

**Workers' Compensation Insurance Affidavit (M.G.L. c. 152 #25C (6))**

I, \_\_\_\_\_ do hereby certify that:

1. [ ☐ ] I am an employer providing the following workers compensation coverage for my employees  
\_\_\_\_\_ (policy # / insurance company)
2. [ ☐ ] I am not required to have workers' compensation insurance under M.G. L. c. 152, Sect. 25 ( c ) (6)

**\*Any applicant that checks #1 above must also fill out the Worker's Compensation Affidavit.**

**PAYMENT IS DUE WITH COMPLETED APPLICATION**

**Return to:** Environmental Health Services  
Bangs Community Center, 2<sup>nd</sup> Fl  
70 Boltwood Walk  
Amherst, MA 01002

**Make Check Payable to:** Town of Amherst

## MOBILE FOOD QUESTIONNAIRE

(Please Complete All Three Pages)

### A. Food Supplies

1. Are all food supplies (including ice and water) from inspected and approved sources? Yes ( ) No ( )
2. Will all pre-packaged food be labeled with the name and address of manufacturer, Name of product, list of ingredients and net weight? Yes ( ) No ( )
3. Will all pre-packaged, potentially hazardous food (phf's) also be labeled with a Sell-by date ?  
Yes ( ) No ( )

### B. Food Storage

1. Is adequate freezer and refrigeration ( mechanical / ice ) available to maintain:  
frozen foods at 0 degrees and below? Yes \_\_\_\_\_ No \_\_\_\_\_  
refrigerated foods at 45 degrees and below Yes \_\_\_\_\_ No \_\_\_\_\_

Number of refrigeration units: \_\_\_\_\_

Number of freezer units: \_\_\_\_\_

*Note: Packaged foods shall not be stored in contact with water or ice that has not been drained. Wrapped sandwiches shall not be stored in direct contact with ice.*

2. Are all refrigerators/freezers equipped with a thermometer ? Yes \_\_\_\_\_ No \_\_\_\_\_
3. Will raw phf's be stored in the same refrigerators and freezers with cooked/ready to- eat - foods?  
Yes \_\_\_\_\_ No \_\_\_\_\_  
  
If yes, how will cross-contamination be prevented?
4. Will all unwrapped foods be protected from dust, road dirt, insects, etc.? Yes \_\_\_\_\_ No \_\_\_\_\_

### C. Construction

1. Is the unit constructed of safe materials that are durable, smooth, and easily to clean? Yes \_\_\_\_\_ No \_\_\_\_\_
2. Is the unit constructed and arranged so that food, drink and utensils will not be exposed to insects, rodents, dust or  
  
other contaminants? Yes \_\_\_\_\_ No \_\_\_\_\_
3. Are protected covers provided for unwrapped foods on display? Yes \_\_\_\_\_ No \_\_\_\_\_
4. Does the mobile food unit/pushcart have the name and address of the owner or company display on either side in letters at least 3 inches in height? Yes \_\_\_\_\_ No \_\_\_\_\_

## D. Water System/ Waste Retention

1. Is a sink with hot and cold running water under pressure available for hand washing? Yes\_\_\_\_\_ No\_\_\_\_\_

2. Are sinks with hot and cold running water under pressure available for washing equipment and utensils ?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, state dimensions (  $L \times W \times H$  )

If no, state where equipment and utensils will be cleaned and sanitized? Explain Below

3. Sanitizing Agent: \_\_\_\_\_ Concentration: \_\_\_\_\_ ( ppm)

Are test papers available to measure the strength of sanitizing solution? Yes\_\_\_\_\_ No\_\_\_\_\_

4. Size of water supply tank: \_\_\_\_\_gallons

Size of waste retention tank: \_\_\_\_\_gallons

5. Is water inlet of supply tank kept capped ( *while not being filled* ) and located in such a manner that it will not be

contaminated by waste water discharge, road dust, oil or grease Yes\_\_\_\_\_ No\_\_\_\_\_

6. Is waste retention tank connection located lower than the water inlet connection? Yes\_\_\_\_\_ No\_\_\_\_\_

7. How and where will the liquid waste from the retention tank be dispose of ? Yes \_\_\_\_\_ No\_\_\_\_\_

**Note:** *A mobile food unit servicing area must be provided at the base of operation If*

- *unpacked food is placed on the mobile food unite/pushcart, and or*
- *The mobile food unit is equipped with waste retention tanks.*

## E. Food Preparation

**Note:** *Applies only to a mobile food units with waste systems. Mobile food units without water systems and pushcarts are limited to the safe of non-potentially hazardous foods, pre-packaged potentially hazardous foods and the preparation of hotdogs.*

1. List how each category of hot foods will be cooked/reheated:

**Note:** *PHF's to be served hot must be rapidly reheated to an internal temperature of 165 degree within 1 hour.*

2. How will you maintain hot bulk foods at 140 degrees?
3. Will food product thermometers ( 0 - 212 degrees) be used to measure temperatures of phf's after cooking/reheating and during holding? Yes\_\_\_\_\_ No\_\_\_\_\_
4. Will sandwiches, salad and other cold ready - to - eat foods be prepared and/or assembled on-site?  
Yes\_\_\_ No\_\_\_
5. How will dispensing utensils be stored?
6. How will utensils be cleaned and sanitized if necessary during use ?
7. Describe hand washing facility on unit
8. Will any self-service of bulk foods be allowed? Yes\_\_\_\_\_ No\_\_\_\_\_
9. Are all condiments, coffee creamers, sugar etc. individually wrapped or in pour-type dispensers?  
Yes\_\_\_\_\_ No\_\_\_\_\_
10. Are all single-service articles individually wrapped or stored in sanitary containers? Yes\_\_\_\_\_ No\_\_\_\_\_
11. Will bulk phf's be discarded at the end of each business day? Yes\_\_\_\_\_ No\_\_\_\_\_
  - a) How will out of date packaged phf's be handled?

If you have any questions, please feel free to call the Health Departments' Environmental Office  
Between the Hours of 8:00-4:30 Mon-Fri at 413-256-4033.

**Please Mail or Bring in this Completed Questionnaire and All Other Relevant and Necessary Information to the  
Environmental Health Department With Your Payment**

## **FOOD MANAGER CERTIFICATION**

### **Code Requirement**

Effective October 1, 2001, the Massachusetts Food Establishment Regulation, 105 CMR 590.003(A)(2) requires food establishments to have at least one person-in-charge (PIC) who is a certified food protection manager. This person must be at least eighteen years of age and be a full-time equivalent on-site manager or supervisor. When the certified PIC is unavailable during operating hours, an alternate PIC must be assigned. The alternate PIC does not require certification; however, this person must be knowledgeable in food safety, food borne illness prevention and corrective actions.

All food establishments must have a certified food protection manager except the following:

- Temporary food establishments operated by non-profit organizations
- Daycare operations which prepare and /or serve only snacks
- Food establishments which sell only pre-packaged food
- Food establishments with limited preparation of non-potentially hazardous food

Food establishments which prepare and serve USDA meat and poultry products containing 120 PPM nitrite and 3.5% brine concentration, such as hotdogs.

### **Importance of Food Manager Certification**

Massachusetts has adopted the food manager certification in order to protect public health and prevent food borne illness. A certificate implies that the person has knowledge of food safety and the prevention of food borne illness through the control of risk factors. The certified person must be able to apply this knowledge in day –to-day operations in order to provide consumers with safe food.

### **Responsibility of the Certified Food Manager**

The certified food protection manager is responsible for monitoring and managing all food establishments operations and to ensure that the facility is operating in compliance with food establishment regulations. The certified PIC must be knowledgeable about foodborne illness prevention and must use this knowledge to recognize hazards and take appropriate preventive and corrective actions.

### **How to Become a Certified Food Protection Manager**

A PIC becomes a certified food protection manager by passing one of four accredited examinations. The four accredited examination development companies are:

- Certifying Board for Dietary Managers, 1-800-323-1908
- Experior Assessments, 1-800-200-6241
- National Registry of Food Safety Professionals, 1-800-446-0257
- National Restaurant Association Educational Foundation (Serv Safe), 1-800-765-2122

Independent consultants and organizations administer these examinations. Upon passing one of the accredited exams the PIC will receive a certificate and will be in compliance with the certification requirement.

Although training is not a Massachusetts requirement, it is strongly recommended. Most consultants and organizations conduct trainings and then administer an exam.

### **How to Find Training**

To find food protection training in your area, contact your local board of health. Your local board of health should have information on trainings in the area. Many local boards of health are organizing training and examinations for the food industry. They can also provide a list of trainers in Massachusetts. The four examination organizations may also be contacted to obtain information on trainings in the Massachusetts area.

### **Length of Certification**

At this time, the Department of Public Health has not established a re-certification requirement.

## **The NEW 590--What are the major changes to regulations governing retail food establishments?**

On October 1, 2000, the updated State Sanitary Code governing retail food service establishments will be in effect. Below is a brief description of some of the major changes that the industry will need to know.

### **1. Certified Food Protection Manager Requirement**

Every food service establishment must have at least one full time equivalent employee who is at least 18 years of age, and who has passed a food safety exam, which is recognized by the Department of Public Health. This person must be someone who is responsible for overseeing the day-to-day preparation of food. Although the Department does not require that this person participate in a training program, passing one of the recognized exams does require detailed knowledge of food safety and the prevention of food borne illness. Most employees will need to take a training course in order to pass the exam and become certified. Establishments have until October 1, 2001 to come into compliance with this requirement. The only establishments that are exempt from this requirement are:

- Temporary food establishments operated by non-profit organizations
  - Daycare operations which prepare and/or serve only snacks
  - Food establishments which sell only pre-packaged foods
  - Food establishments which conduct limited preparation of non-potentially hazardous food
- Food establishments which prepare and serve USDA meat and poultry products containing 120 PPM nitrite level, 3.5% brine concentration such as frankfurters.

### **2. The Assignment of a Person in Charge (PIC)**

A PIC must be present in the food establishment during all hours of operation. The assigned PIC must be knowledgeable about food safety and the prevention of food borne illness. The PIC must also ensure that the food establishment is operating in compliance with 105 CMR 590.00. Most of the time, the person who is certified food protection manager should be the PIC. When that person is not on the premises, an alternate PIC should be assigned. The alternate PIC does not have to be certified, but they are expected to carry out the same duties as the certified person. No food service establishments are exempt from this requirement

### **3. Employee Health**

The PIC must require that employees report when they are ill with symptoms that could be due to an illness which can be spread through food. Symptoms that should be reported include: diarrhea, vomiting, jaundice, fever, sore throat with fever, and any cuts or open wounds on exposed skin. Employees must also report to the PIC when they are diagnosed with an illness, which could be spread through food, or if they live with someone who has such an illness. They must also let the person in charge know if they or someone in their household has been exposed to an outbreak of food borne illness and therefore at risk for getting such an illness. Employees who have symptoms or who are diagnosed with such an illness will either need to be restricted in their duties or prevented from working altogether. In order to determine what action the PIC should take, consult the "Guide to Excluding and Restricting Food Employees for Establishments Serving the General Population" and consult your local Board of Health. The bottom line is that ill employees should not be working with exposed food and clean utensils and equipment, and in some cases ill employees should not be working at all.

### **4. No Bare Hand Contact with Ready-to-Eat (RTE) Foods**

The regulations prohibit all bare hand contact with RTE foods. Deli tissues, gloves, tongs, spatulas are good alternatives to using bare hands. The only exception is that bare hands can be used to wash fruits and vegetables. If an establishment wishes to use bare hands when preparing RTE foods, they must first develop and maintain a Written Alternative Operational Procedure. This procedure must include a description of the food preparation process in which bare hand contact will be used, a description of how employees will be trained in proper hygiene and how they will be monitored, and how the PIC will verify that the employee health requirements are being



met. The exact requirements are spelled out in the brochure entitled “Alternative to Bare-Hand Contact with Ready-to-Eat Foods” The written procedure must be made available to the Board of Health upon request.

## **5. Consumer Advisory**

When an establishment serves or sells raw or undercooked animal foods as ready-to-eat foods, the consumers must be advised that eating such food increases their risk of contracting a food borne illness. All foods of animal origin are of concern including fish, shellfish, beef, pork, lamb, poultry, eggs and un-pasteurized dairy products. The raw or undercooked food or ingredient must be clearly identified to the consumer, and the consumer must also be reminded about the increased risk of illness due to eating undercooked or raw animal foods. The reminder can be written on the menu, on a table tent, on a placard, put in a brochure, or by any other effective written means. Establishments have until January 1, 2001 to come into compliance with this regulation.

## **6. Time as a Public Health Control**

This provision allows potentially hazardous foods to be left out at any temperature for up to 4 hours prior to service for immediate consumption or during necessary preparation prior to cooking. However, before an establishment may do this they must develop a written plan that describes how they will mark and monitor the food so that it is either cooked, eaten or discarded by the end of the 4 hours. The establishment must submit their plan to the local Board of Health and obtain approval BEFORE they are allowed to use time as a public health control. Once a food is taken out of temperature control, it must be consumed or cooked within 4 hours or it must be thrown out. It may not be cooled, refrigerated or frozen for use at another time.